

Town of Milton
Board of Adjustment
Minutes
January 28, 2003

Members Present:

John Collier

Marion Jones

Larry Savage

1. *In accordance with the Code of the Town of Milton, an application from Herb Dutt requests for a variance from the Code of the Town of Milton, Article 4, Section 3, Table 1 (Table of District Regulations) minimum lot area square feet for R-1 zoning. Mr. Dutt requests that the parcel being of size 150' x 150' be split into two (2) parcels each being of same and equal size (plus or minus 4 sq ft) and a variance from the side yard setback from 10' to 5'7" on existing structure. Property location is 409 Hemlock Street further identified by Sussex County Tax Map and Parcel number 2-35-14.16 20.00.*

John Collier introduced the application and applicant to the board members. After the introduction Mr. Herb Dutt explained to the members his intentions of partitioning the parcel into two separate lots. His intention is to live in the existing house while he builds his new home on the new lot created. Mr. Dutt said he was retaining the existing house and did not have a problem with the existing houses setbacks toward his new lot.

John Collier Asked if anyone from the community or any correspondence was received toward the application. Mr. Denny Hughs stated that the Planning and Zoning Committee review the application and was in favor of the requests.

John Collier stated that the partitioning of the lot into two separate lots one of which is 7,498 sq ft and the other 7,494 sq ft was in character of the community and voted in favor the variance for lot size. Larry Savage and Marion Jones agreed with the comments and voted to grant the variance for the lot size.

On the request for a setback variance for the existing house for a 5'7" setback from the new parcel created. John Collier stated that the applicant was retaining ownership of the house, the age of the development and having no adverse comments from the community and the recommendation from the Planning and Zoning Committee he was in favor of the variance being granted. Larry Savage and Marion Jones both stated they felt the same way and voted in favor of the variance being granted.

John Collier

Marion Jones

Larry Savage